

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
NIH-0377TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)  
10/030,951INTERNATIONAL APPLICATION NO.  
PCT/US00/17755INTERNATIONAL FILING DATE  
24 June 2000 (24.06.00)PRIORITY DATE CLAIMED  
09 July 1999 (09.07.99)TITLE OF INVENTION: **PRODUCTION OF ATTENUATED HUMAN-BOVINE CHIMERIC RESPIRATORY SYNCYTIAL VIRUS VACCINES**APPLICANT(S) FOR DO/EO/US: **BUCHHOLZ, Ursula; COLLINS, Peter L.; MURPHY, Brian R.; WHITEHEAD, Stephen S.; KREMPL, Christine D.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) ) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4). (**executed Declaration & Power of Attorney-5 sheets**)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: - **copy Notification of Missing Requirements mailed 4/01/2002 (2 sheets)**  
- **Petition for Extension of Time - one month (in duplicate) and authorization to charge deposit account for extension fee (\$110) (4 sheets)**  
- **Transmittal Letter Submitting Sequence Listing (1 sheet)**  
- **Sequence Listing in written form (5 sheets) and computer readable format (1 diskette)**  
- **Statement to Support Filing and Submission (2 sheets)**  
- **Associate Power of Attorney (2 sheets)**  
- **authorization to charge deposit account for \$130 surcharge**  
- **return post card**

EXPRESS MAIL Mailing Label No. **EL695383065US**  
Date of Deposit: **JULY 1, 2002**

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5)  
10/030,951

INTERNATIONAL APPLICATION NO.  
PCT/US00/17755

ATTORNEY DOCKET NUMBER  
NIH-0377

17.    The following fees are submitted:

**Basic National Fee (37 CFR 1.492(a)(1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO.....\$1,040.00

International preliminary examination fee (37 CFR 1.482 not paid to USPTO  
but International Search Report has been prepared by the EPO or JPO.....\$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$740.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but  
all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and  
all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than    20    30 months from  
the earliest claimed priority date (37 CFR 1.492(e)).

Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =		X \$18.00	\$	
Independent Claims	- 3 =		x \$84.00	\$	
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$	

TOTAL OF ABOVE CALCULATIONS =

   Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are  
reduced by ½.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than    20    30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

TOTAL FEES ENCLOSED =

CALCULATIONS      PTO USE ONLY

\$

\$130.00

\$

\$

\$

\$

\$

\$

\$

\$

+

\$130.00

Amount to be:  
refunded

\$

charged

\$

a.    A check in the amount of \$        to cover the above fee is enclosed.

b. X Please charge my Deposit Account No. 23-3050 in the amount of \$130.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account  
No. 23-3050. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must  
be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Jeffrey J. King, Esq.  
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Philadelphia, PA 19103  
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SIGNATURE

Jeffrey J. King, Esq.

NAME

38,515

REGISTRATION NUMBER

PTO/PCT Rec'd 01 JUL 2002

DOCKET NO.: NIH-0377

PATENT

## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

## In Re Application of:

BUCHHOLZ Ursula et al.

U.S. Serial No.: 10/030,951

Intl. Appln. No.: PCT/US00/17755

Group Art Unit: not yet known

Intl. Filing Date: 24 June 2000

Examiner: not yet assigned

For: PRODUCTION OF ATTENUATED HUMAN-BOVINE CHIMERIC  
RESPIRATORY SYNCYTIAL VIRUS VACCINES

EXPRESS MAIL Mailing Label No. EL695383065US

Date of Deposit: JULY 1, 2002

## BOX PCT

Commissioner of Patents

United States Patent And Trademark Office

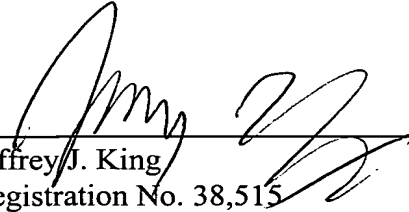
Washington, DC 20231

TRANSMITTAL LETTER SUBMITTING SEQUENCE LISTING

Applicants submit herewith the Sequence Listing in written (5 sheets) and computer readable form (1 diskette), the contents of which are the same.

The enclosed Sequence Listing does not go beyond the disclosure in the international application as filed.

Date: July 1, 2002

  
Jeffrey J. King

Registration No. 38,515

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